APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/813,714	03/07/97	SIEFERT D	6002.03

LM01/1202

MERCHANT GOULD SMITH WELTER
EDELL AND SCHMIDT
WESTWOOD GATEWAY II   SUITE 400
11150 SANTA MONICA BOULEVARD
LOS ANGELES CA 90025-3395

EXAMINER	
LAO,S	

ART UNIT	PAPER NUMBER
2755	

DATE MAILED: 12/02/98

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

X Responsive to communication(s) filed on *Mar 7, 1997* _____ .

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire ____ *3* ____ month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

    X Claim(s) *1-14* _____ is/are pending in the application.

    Of the above, claim(s) _____ is/are withdrawn from consideration.

    ☐ Claim(s) _____ is/are allowed.

    X Claim(s) *1-14* _____ is/are rejected.

    ☐ Claim(s) _____ is/are objected to.

    ☐ Claims _____ are subject to restriction or election requirement.

Application Papers

    ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

    ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

    ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

    ☐ The specification is objected to by the Examiner.

    ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

    ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

        ☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been

          ☐ received.

          ☐ received in Application No. (Series Code/Serial Number) _____ .

          ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

        *Certified copies not received: _____ .

    ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

    X Notice of References Cited, PTO-892

    ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

    ☐ Interview Summary, PTO-413

    ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

    ☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

DETAILED ACTION

1. The request filed on 3/7/1997 for a File Wrapper Continuing Application (FWC) under 37 CFR 1.62 based on parent Application No. 08/217,065 is acceptable and a FWC has been established. An action on the FWC follows.

2. Claims 1-14 are pending. This action is in response to the amendment filed 3/7/1997. Applicant has amended claims 1-14.

3. The applicant recites a number of co-pending applications on page 1. These co-pending applications are not checked. Applicant is invited to inform the examiner if any of the co-pending applications are particularly relevant to / conflicting with the current application. Applicant is required to maintain a clear line of demarcation between applications. See MPEP § 822.

4. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

5. Claims 1-7, 9-10, 12-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ryu *et al* (U. S. Pat. 5,408,608).

As to claim 5, Ryu teaches resource management system (distributed database system, see abstract), RESOURCEs (distributed database), one or more LOCAL SERVERS (data offering terminals A or B) with means for storing RESOURCEs (stores real data, see abstract), one or more REGIONAL SERVERs (temporary center) with means for storing PROFILEs of RESOURCEs stored (store control information, content list table 57, fig.s 2A, 11A; content, keyword or commands assigned to each real data, see abstract), means for electronically linking the LOCAL and REGIONAL SERVERs to transfer therebetween (network, fig.s 2A, 2B), one or more PCS coupled to one or more of the SERVERs (user terminals, data offering terminals A or B, fig. 2A), means for storing PROFILEs of RESOURCEs into one or more of the REGIONAL SERVERs (data offering terminals A or B transmit their contents to register with the content control center 4a, col. 7, ln.s 55-64; fig. 2A), means for searching all of the PROFILEs in the REGIONAL SERVERs (inquiry, sent to control center through network, control center extracts the first and second ranks, see fig.s 9F and 10 and col. 18, lines 23-60).

As to claim 1, note the discussion of cliam 5, and further Ryu teaches means for accessing a RESOURCE from any one of the LOCAL SERVERs based on the searched PROFILEs (access, fig. 9F, col. 18, lines 48-68).

As to claims 2-3, Ryu teaches means for storing a downloadable RESOURCE into one or more of the LOCAL SERVERs (other terminal unit returns retrieved data to terminal unit, fig. 9F), means for downloading any of the RESOURCEs contained in any of the LOCAL SERVERs into the PC (terminal unit receives real data, fig. 9F, step 6).

As to cliam 4, Ryu teaches means for storing a PROFILE which contains information about a user of a SERVER (control information table 55, col. 18, lines 39-44), means for restricting the user's access to RESOURCEs based on the information contained in the user's PROFILE (match user ID and password, col. 18, lines 48-60; fig. 5).

As to cliam 6, note discussion of cliam 5 and Ryu further teaches each of the REGIONAL SERVERs storing a catalog of PROFILES that describe RESOURCEs (contents for A, contents for B), see fig. 2A.

As to claim 7, Rye teaches storing keywords in a PROFILE contained in a REGIONAL SERVER (content control table 55, col. 18, lines 39-44; content list table 57, fig.s 2A, 11A; keyword assigned to each real data, see abstract) and search the PROFILEs (control center extracts, col. 18, lines 48-60; fig. 15H), thus searching by Boolean key-words would have been obvious.

As to cliam 9, note the discussion of cliam 1 and further Ryu teaches a user (user), and single site (data offering terminals, user terminal unit, terminal units, other terminal units), see fig.s 2A, 2B, 9B, 9F.

As to claims 10, 12, Ryu teaches RESOURCEs comprise downloadable data (contents A, contents B, detail of A and B, see fig. 2A), allowing a user to download the downloadable data from one of the LOCAL SERVERs to the user's site (display contents A and B on user terminal unit T3, see fig. 2A), data which is not downloadable (contents in buffer 101 are not output, see col. 10, line 63 - col. 11, line 14, fig. 5).

As to claim 13, Ryu teaches all of the PROFILES are stored in a single REGIONAL SERVER (temporary center, see fig. 2A).

As to claim 14, using distributed managers / name servers is a well known alternative to a centralized manager / name server for providing better fault tolerance. Applying this concept to the system of Ryu would have been obvious, which would provide multiple collections of the PROFILEs / distributed managers or name servers. Ryu also teaches multiple collections of the PROFILEs (contents of other terminal units stored in a terminal, see fig.s 4 and 5) and each collection contains substantially all of the PROFILEs since the file for self (fig. 5) would be different for each.terminal but contents for others would be substantially the same.

6.   Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ryu *et al* as applied to claim 6 and in view of Terry *et al.*

As to cliam 8, Terry teaches a database management system (Tapestry system), including ordering a search to be performed at a future time (continuous queries, scan the incoming record), see abstract; section 1.0; fig.s 1 and 3.

Both Ryu and Terry deal with improving database efficiency, it would have been obvious to combine the teaches. Accordingly, it would have been obvious to apply the teaching of Terry to the search of PROFILEs of Ryu.

7.   Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ryu *et al* as applied to claim 10 and in view of Dworkin.

As to claim 11, Dworkin teaches a database management system (electronic mall), wherein the RESOURCEs include physical objects (hardware products, fig. 4).

It would have been obvious to apply the teaching of Dworkin to the system of Ryu so as to allow user to determine the best price available (col. 1, ln.s 53-60).

8.   Applicant's arguments filed 3/7/1997 have been considered but are moot in view of the new ground(s) of rejection.

9.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

10.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sue Lao whose telephone number is (703) 305-9657. The fax number for this Group is (703) 308-5359.

Any inquiry of a general nature or relating to the status of this application or proceeding should by directed to the Group receptionist whose telephone number is (703) 305-3900.

Sue Lao

November 18, 1998